

REMARKS

Claim 1 has been amended to correct a few grammatical errors. Claims 9, 14, and 21 have been previously cancelled. Claims 13, 15-20, and 22-24 are cancelled via the present amendment. The claims remaining in the application are 1-8 and 10-12.

Claim 1 stands rejected under 35 U.S.C. 102(b) as being anticipated by Nordeen et al. The rejection is respectfully traversed.

Nordeen et al. relates to a process for transferring an ink-receptor layer from a temporary support to a final substrate (also referred to as a “final receptor” and as a “final support”). The first step of the process involves application of the ink-receptive layer to the temporary support, possibly with a thermoplastic release layer there between. The ink-receptive layer is laminated face down on the final substrate. Finally, the temporary support is peeled away, leaving the ink-receptive layer adhered to the final substrate.

The final substrate of Nordeen et al. is disclosed as “a variety of substrates including mock-ups for packaging and other materials that would not be capable of receiving an image directly in an ink-jet printer (see the abstract). Elsewhere in Nordeen et al., the final substrate is described as being “cloth, polymeric film, paper, glass, cardboard, metal sheeting, etc.” It is this “final substrate” of Nordeen et al. to which the following comments will be directed.

The Examiner's statement of what is disclosed by Nordeen et al. does not reflect an understanding of what is claimed. In Claim 1 of the present application, the structure that receives the image is called “pre-laminated receiver stock,” and is denoted in Fig. 3 of the present application by reference numeral 230. According to Claim 1, the pre-laminated receiver stock (230) is formed by laminating a pre-laminate sheet of material consisting of a first thermoplastic layer (304) and a first support layer (150) to a coated sheet of plastic material (330). Finally the first support layer (150) is removed, leaving what amounts to a pre-laminated receiver stock (230).

The final receptor of Nordeen et al. is disclosed only as “a variety of substrates including mock-ups for packaging and other materials that would not be capable of receiving an image directly in an ink-jet printer” and “cloth, polymeric film, paper, glass, cardboard, metal sheeting, etc.” Accordingly, Nordeen et al. fail to anticipate Claim 1. That is, the process described in the

preceding paragraph is not anticipated by Nordeen et al.'s disclosure of either "a variety of substrates including mock-ups for packaging and other materials that would not be capable of receiving an image directly in an ink-jet printer" or "cloth, polymeric film, paper, glass, cardboard, metal sheeting, etc."

Claim 1 stands further rejected under 35 U.S.C. 103(a) as unpatentable over Nordeen et al. in view of the following secondary references:

- Sasaki;
- Sasaki and Kolobow;
- Pilu;
- Yamaguchi;
- Shimizu et al.; and
- Kondos et al.

These rejections are respectfully traversed on the basis that the rejections does not suggest what element of the claim is missing from the disclosure of Nordeen et al., how that missing element is disclosed by the secondary references, and why it would have been obvious to combine the secondary and primary references. If the rejections are repeated, Applicant requests that the Examiner provide a clear description of the basis for the rejection so that appropriate action can be taken.

Claim 2 stands rejected under 35 U.S.C. 103(a) as unpatentable over Nordeen et al. in view of Sasaki. The rejection is respectfully traversed. First, Claim 2 depends from Claim 1 and is patentable therewith. Further, Claim 2 further defines the support layer (150) that, together with first thermoplastic layer (304), makes up the pre-laminate sheet of material. Specifically, the support layer (150) is further defined in Claim 2 as comprised of a support base (314) and a release layer (274). The Examiner acknowledges that Nordeen et al. does not disclose this layered structure for the support layer, but notes that Sasaki discloses a support layer that comprises a support base and a release layer. However, this reasoning fails to take into account that the primary reference fails to disclose laminating a pre-laminate sheet of material consisting of a first thermoplastic layer (304) and a first support layer (150) to a coated sheet of plastic material (330), and then removing the first support layer (150) to leave what amounts to a pre-laminated receiver stock (230). Since there is no disclosure in Nordeen et al. of a support layer (150), the secondary reference to Sasaki that is purported to

disclose a support base and a release layer can not be used to suggest modification of a element that is not present in the primary reference.

Claims 3 and 10, which stand rejected under 35 U.S.C. 103(a) as unpatentable over Nordeen et al. in view of Sasaki, depend from Claims 1 and 10 are allowable at least for the same reasons as Claim 1. The secondary reference to Sasaki fails to disclose, in conceptual terms, the information undisclosed by the primary reference to Nordeen et al. Assuming *arguendo* that the references might be capable of combination, there is at least one limitation in the claimed invention that is not disclosed by the references individually or in combination.

Claim 4 stands rejected under 35 U.S.C. 103(a) as unpatentable over Nordeen et al. in view of Sasaki and Kolobow. Claim 4 depends from Claim 1 and is allowable at least for the same reasons as Claim 1. The secondary references to Sasaki and Kolobow fail to disclose the information undisclosed by the primary reference to Nordeen et al. Assuming *arguendo* that the references might be capable of combination, there is at least one limitation in the claimed invention that is not disclosed by the references individually or in combination.

Claims 5, 6 and 10 stand rejected under 35 U.S.C. 103(a) as unpatentable over Nordeen et al. in view of Pilu. Claims 5, 6 and 10 depend from Claim 1 and are allowable at least for the same reasons as Claim 1. The secondary reference to Pilu fails to disclose the information undisclosed by the primary reference to Nordeen et al. Assuming *arguendo* that the references might be capable of combination, there is at least one limitation in the claimed invention that is not disclosed by the references individually or in combination.

Claims 7, 8 and 10 stand rejected under 35 U.S.C. 103(a) as unpatentable over Nordeen et al. in view of Yamaguchi. Claims 7, 8 and 10 depend from Claim 1 and are allowable at least for the same reasons as Claim 1. The secondary reference to Yamaguchi fails to disclose the information undisclosed by the primary reference to Nordeen et al. Assuming *arguendo* that the references might be capable of combination, there is at least one limitation in the claimed invention that is not disclosed by the references individually or in combination.

Claim 10 stands further rejected under 35 U.S.C. 103(a) as unpatentable over Nordeen et al. in view of Kondos et al. Claim 10 depends from Claim 1 and is allowable at least for the same reasons as Claim 1. The secondary

reference to Kondos et al. fails to disclose the information undisclosed by the primary reference to Nordeen et al. Assuming arguendo that the references might be capable of combination, there is at least one limitation in the claimed invention that is not disclosed by the references individually or in combination.

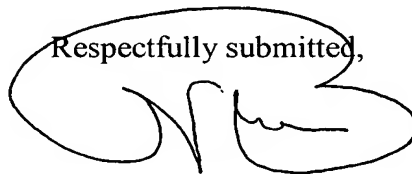
Claim 11 stands further rejected under 35 U.S.C. 103(a) as unpatentable over Nordeen et al. in view of Shimizu et al. Claim 11 depends from Claim 1 and is allowable at least for the same reasons as Claim 1. The secondary reference to Shimizu et al. fails to disclose the information undisclosed by the primary reference to Nordeen et al. Assuming arguendo that the references might be capable of combination, there is at least one limitation in the claimed invention that is not disclosed by the references individually or in combination.

Claim 11 stands rejected under 35 U.S.C. 103(a) as unpatentable over Nordeen et al. in view of Sasaki. The rejection is respectfully traversed. First, Claim 11 depends from Claim 1 and is patentable therewith. Further, Claim 11 further defines the coated sheet of plastic material (330). Specifically, the plastic material (330) is further defined in Claim 11 as coated in a printing press. The Examiner acknowledges that Nordeen et al. does not disclose that adhesive coating of a plastic material takes place in a printing press, but notes that Sasaki discloses a support layer that is coated in a printing press. However, this reasoning fails to take into account that the primary reference fails to disclose laminating a pre-laminate sheet of material consisting of a first thermoplastic layer (304) and a first support layer (150) to a coated sheet of plastic material (330), and then removing the first support layer (150) to leave what amounts to a pre-laminated receiver stock (230). Since there is no disclosure in Nordeen et al. of a coated sheet of plastic material used in the method claimed, the secondary reference to Sasaki cannot be used to suggest modification of an element that is not present in the primary reference.

Claim 12 stands rejected under 35 U.S.C. 103(a) as unpatentable over Nordeen et al. in view of Kondos et al. The rejection is respectfully traversed. First, Claim 12 depends from Claim 1 and is patentable therewith. Further, Claim 12 further defines the coated sheet of plastic material (330). Specifically, the plastic material (330) is further defined in Claim 12 as coated with chlorinated polypropylene. The Examiner acknowledges that Nordeen et al. does not disclose a plastic material is coated with chlorinated polypropylene, but

notes that Kondos et al. disclose chlorinated polypropylene as an adhesion promoting agent. The Examiner's reasoning fails take into account that the primary reference fails to disclose laminating a pre-laminate sheet of material consisting of a first thermoplastic layer (304) and a first support layer (150) to a coated sheet of plastic material (330), and then removing the first support layer (150) to leave what amounts to a pre-laminated receiver stock (230). Since there is no disclosure in Nordeen et al. of a coated sheet of plastic material used in the method claimed, the secondary reference to Kondos et al. cannot be used to suggest modification of an element that is not present in the primary reference.

In view of the foregoing, it is believed none of the references, taken singly or in combination, disclose the claimed invention. Accordingly, this application is believed to be in condition for allowance, the notice of which is respectfully requested.

Respectfully submitted,


Attorney for Applicant(s)
Registration No. 29,134

Nelson A. Blish/tmp
Rochester, NY 14650
Telephone: 585-588-2720
Facsimile: 585-477-4646

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.